

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

JERMARAE HERBERT,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Case No. 5:23-CV-00483-TES-CHW
	:	
CRISP COUNTY REGIONAL	:	Proceedings Under 42 U.S.C. § 1983
HOSPITAL, et al.,	:	Before the U.S. Magistrate Judge
	:	
Defendants.	:	
	:	

ORDER FOR STATUS REPORT FROM ALL PARTIES

Pending before the Court is Plaintiff’s motion for a status conference (Doc. 51), in which Plaintiff seeks the Court’s guidance on how to proceed regarding discovery for Defendant Sales. That motion was filed on April 30, 2025, which was the last day of the extended discovery period (Doc. 49), and suggested that Defendant Sales, due to a medical event, may be unavailable for a deposition before the discovery period expired. (Doc. 51). The parties have provided no further update to the Court regarding Defendant Sales’s condition since Plaintiff filed his motion. *See Docket*. The discovery period for Defendant Smith, to the Court’s understanding, is complete, and he filed no dispositive motions prior to the May 30, 2025 deadline. *See Docket*, (Doc. 49).

As to the remaining defendant, Defendant Cowens, the case was stayed pursuant to an automatic bankruptcy stay ordered by the United States Bankruptcy Court for the Southern District of Texas. *See* (Doc. 44). The bankruptcy case has been resolved, and the automatic stay has been lifted. (Doc. 55). Therefore, the **STAY** previously imposed as to Defendant Cowens is **LIFTED**.

So that this case may proceed towards a resolution, **the parties are hereby DIRECTED to file separate status reports, within 14 days of the date of this Order, advising the Court as to the following matters:**

- Whether Defendant Sales's deposition has been taken, and if not, when the parties expect to schedule and take the deposition;
- Whether Plaintiff's claim against Defendant Cowens was subject to the Third-Party Release opt-out provisions imposed by the bankruptcy court and whether Plaintiff filed to opt-out as required;
- In the event that claims against Defendant Cowens remain, what further discovery is needed and how long do the parties anticipate needing to complete discovery; and
- Whether the parties intend to file dispositive motions as the Court will entertain resetting and consolidating the dispositive motion deadline for all parties, if needed.

As to Plaintiff's request for a status conference, the motion (Doc. 51) is **DENIED** at this time, but depending on the status update received by the Court pursuant to this Order, the Court may schedule a status conference at a later date.

SO ORDERED, this 12th day of September, 2025.

s/ Charles H. Weigle
Charles H. Weigle
United States Magistrate Judge